

Petitioner is over 70 years old. His health is in steady decline and he resides in the infirmary at Chester. These factors of course do not entitle him to the relief he requests. However, his age and ill health, along with Respondents' acknowledgment that an injustice has occurred that added decades to Mr. Chimenti's imprisonment, weigh in favor of a speedy resolution of the *Motion*.

In view of Respondent's concession of relief, the Court can grant the Rule 60(b) motion without further proceedings. However, should the Court wish to hear argument or receive evidence, counsel again requests that the Court schedule such proceedings at the earliest opportunity.

Respectfully Submitted,

/s/ Michael Wiseman

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Certificate of Service

I, Michael Wiseman, hereby certify that on this 4th day of April, 2022 I served a copy of the foregoing upon the following persons by filing the same with this Court's ECF Filing System:

ADA Thomas Gaeta
ADA Michael Garmisa, Supervisor,
Conviction Integrity Unit
Office of the Philadelphia District Attorney

/s/ Michael Wiseman

Michael Wiseman